



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Served December 31, 2003

In the matter of the citizenship of

DHL AIRWAYS, INC./ASTAR AIR CARGO, INC.

Under 49 U.S.C. § 40102(a)(15)

Docket OST-2002-13089

NOTICE ON JOINT MOTION TO MODIFY SCHEDULE

On December 19, 2003, Administrative Law Judge Burton S. Kolko issued a Recommended Decision in this proceeding, indicating that petitions for discretionary review of that decision were due January 12, 2004.

On December 23, 2003, Federal Express Corporation and United Parcel Service ("FedEx/UPS") filed a motion before the Department requesting, *inter alia*, an extension of time to file a petition for discretionary review until January 23, 2004, elimination of the twenty-page limit for such petitions, a shortening of the due date for answers to this motion to December 29, 2003, and expedited consideration of the motion.

At this time, we are prepared to dispose of FedEx/UPS's more urgent requests regarding petitions for discretionary review without awaiting answers. In light of our actions below, we deny FedEx/UPS's request to shorten the answer time for this motion. Answers are due January 6.

An extension of time to file petitions for discretionary review will be allowed. As requested by FedEx/UPS, all petitions for discretionary review shall be due no later than January 23, 2004. Consequently, the date for all answers to petitions shall be due fifteen (15) days after that date (February 9, 2004). Additionally, as requested by FedEx/UPS, we are removing the page limits for petitions for discretionary review and answers contained in Rule 32, and instead a fifty-page (50) limit will be imposed on all parties for petitions for discretionary review. Answers to the petitions also will be limited to fifty (50) pages.

We will serve a copy of this notice on each of the parties in this proceeding.

By:

MICHAEL W. REYNOLDS

Deputy Assistant Secretary for Aviation
and International Affairs

Date: December 31, 2003

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<http://dms.dot.gov/search>*

**SERVICE LIST
DHL AIRWAYS, INC.**

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